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May 13, 2016

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Via ECF

Hon. District Judge Vince Chhabria
San Francisco Courthouse, Courtroom 4 - 17th Floor
450 Golden Gate Avenue
San Francisco, CA 94102

Re: *California Berry Cultivars, LLC v. The Regents of the University of California*,
Case No. 16-cv-02477-VC (N.D. Cal.)

Dear Judge Chhabria:

Pursuant to the Court's oral order at the May 12, 2016 hearing on Plaintiff's application for a TRO, Defendant hereby provides the following supplementation to the record regarding the issue of notice to Drs. Shaw and Larson of their obligation to assign the Core Strawberry Germplasm to UC:

Exhibit A – March 26, 2014 letter from Dillard (Dean of the UC Davis College of Agriculture and Environmental Sciences) to Van Kessel (Plant Sciences Dept. Chair) regarding UC's decision to pursue plant patents on the Core Strawberry Germplasm

Exhibit B – June 6, 2014 email from Carriere (Business Development and IP Manager at UC Davis InnovationAccess) to Shaw and Larson requesting that they execute assignments regarding the Core Strawberry Germplasm patent application

Exhibit C – June 13, 2014, 11:25 a.m., email from Shaw to Van Kessel requesting permission to make a public release of the Core Strawberry Germplasm

Exhibit D – June 13, 2014, 11:30 a.m., email from Shaw to Carriere acknowledging that he and Larson received UC's request for assignments regarding the Core Strawberry Germplasm patent application

Exhibit E – June 13, 2014, 4:18 p.m., email from Van Kessel to Shaw explaining that the decision to proceed with a public release is not within the authority of the Plant Sciences Department

Exhibit F – June 17, 2014, 12:16 p.m., email from Appelsmith (UC Davis Chief Campus Counsel) to Shaw regarding UC's ownership of the Core Strawberry

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Germplasm and Shaw's and Larson's obligation to assign pursuant to their employment agreements

Exhibit G – June 17, 2014, 12:37 p.m., email from McGee (Executive Director at UC Davis InnovationAccess) to Shaw regarding UC's decision to patent the Core Strawberry Germplasm and Shaw's and Larson's obligation to assign pursuant to their employment agreements, further requesting such assignment by the end of the week

Respectfully submitted,

/s/ Rachel Krevans